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UBS Financial Services Inc. (also sued as Paine
7 Webber) and UBS PartnerPlus Plan (erroneously sued as
UBS/Paine Webber Partner's Plus)
8

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 Alva Gene Thaning,
14 Plaintiff,
15 v.
16 UBS/Paine Webber, UBS/Paine Webber Partner's
Plus, UBS Financial Services, Inc.,
17 Defendant.
18
19
20

No. 07-5528 MJJ

**DECLARATION OF JACQUELINE
S. BRONSON IN SUPPORT OF
DEFENDANTS' REPLY IN
SUPPORT OF MOTION TO
COMPEL ARBITRATION AND
STAY PROCEEDINGS**

Date: February 26, 2008
Time: 9:30 a.m.
Place: Courtroom 11, 19th Flr.
Judge: Hon. Martin J. Jenkins

21
22 I, JACQUELINE S. BRONSON, declare as follows:

23 1. I am an associate at the law firm of Bingham McCutchen LLP duly
24 admitted to practice law in the State of California, and if called as a witness I could and would
25 testify to the following facts.
26

2. Plaintiff's Opposition to Defendants UBS Financial Services Inc. (also sued as UBS/Paine Webber) and UBS PartnerPlus Plan (erroneously sued as UBS/Paine Webber Partner's Plus) (collectively, "Defendants" or "UBS")'s Motion To Compel Arbitration was due on Tuesday, February 5, 2008. Plaintiff did not serve on UBS or file with the Court any Opposition on that date. He did not ask UBS at any point in time for an extension.

3. On Friday, February 8, 2008, three days after Plaintiff's Opposition was due, Plaintiff provided UBS's counsel with a hard copy of the brief. He did not electronically serve UBS with the Opposition. To UBS's present knowledge, Plaintiff still has not electronically filed the Opposition though this case is subject to e-filing and according to the docket report still has not filed the papers by any means with the Court.

4. In Plaintiff's counsel's declaration, he contends that he was not served with a copy of the brief. That is incorrect. Plaintiff's counsel was properly served pursuant to Local Rule 5-5(b). On January 11, 2008, UBS electronically filed its moving papers with the Court consistent with the Court's Local Rules regarding cases subject to e-filing. The Court's automatic notice of filing return e-mail indicated that Plaintiff's counsel of record from the law firm Aspelin & Bridgman LLP was electronically served. Plaintiff's counsel and thereby Plaintiff thus was served with UBS's moving papers on January 11, 2008.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I executed this declaration on the 12 of February, 2008 in San Francisco, California.

/s/ Jacqueline S. Bronson
Jacqueline S. Bronson